

## REMARKS

The applicants respectfully request consideration of the pending claims. As a preliminary matter, it should be noted that many of the claims were amended to bring out the inherent nature of an "associative mapping," which correlates the stimulus with both time and the response associated with the stimulus. Figure 4 of the application illustrates an exemplary associative mapping. Specifically, Figure 4 shows an associative mapping that maps video frames 92 (i.e., stimuli) with responses 94 to those video frames 92 at specified times 90. For example, at time  $t_1$ , video frames  $V_1, V_2, \dots$  and  $V_n$  were presented to some set of one or more observers. That set of observers produced responses to those video frames (at that time  $t_1$ ), and those responses are shown as  $PV_1, PV_2, \dots PV_n$ .

Associative mapping has a number of benefits, such as enabling access to the data by indexing to time, frames, or responses (or others factors when considering new variables 96). In fact, the associative mapping shown in Figure 4 is a "multi-channel" associative map because it permits correlation of multiple video streams (i.e.,  $V_1, V_2$ , etc...) and their associated responses at the same time. For example, the multiple video streams could be of the same videotaped presentation, but transmitted at different times, or different perspectives of the same presentation at the same time.

In a corresponding manner, amended claim 1 defines an apparatus for determining a response to at least one a stimulus using an associative mapping. The office action dated October 7, 2003 for the parent application, however, suggests that U.S. Patent No. 5,812,642 (Leroy) teaches such a mapping.

In short, Leroy shows a system for analyzing audience response to a broadcast promotion. The responses relate to the number of calls made to a broadcasting station during a broadcast. To that end, as shown in Figure 3, Leroy discloses a system where operators manually enter data relating to received calls (from people watching the broadcast) into a data collection unit 110. A computer 100 then can produce a graph of the total number of calls and the rough time

during which they were received. Nowhere does Leroy suggest that this data be formatted into an associative mapping, which (as noted above) enables one to retrieve data indexed to any of the stored criteria. Instead, the data merely is noted as being stored in a database and retrieved to produce the graph. Accordingly, Leroy does not suggest or disclose an associative mapping as defined by claim 1.

The above noted office action, however, suggests that column 5, lines 1-5, column 6, lines 6-13, and Figure 7 teach an associative mapping. Nowhere in those cited portions does Leroy suggest an associative mapping as defined. The column 5 text merely states that a timeline is entered into some memory, while the column 6 text simply discusses some nonspecific type of tabulation and correlation of response data. Nowhere does this cited text suggest an associative mapping as defined.

Moreover, claim 1 also is directed to a multi-channel associative mapping, which, as noted above, enables responses to multiple incoming stimuli. In contrast, Leroy is directed at producing responses to a single data stream (i.e., a single continuous broadcast). Accordingly, Leroy cannot be considered to have a multi-channel database, much less a multi-channel associative mapping.

Claim 1 therefore is patentable over the cited art. In like manner, dependent claims 2-23 also are allowable over the cited art.

In a manner similar to claim 1, claim 25 also requires an associative mapping and thus, is allowable for the same reasons. In addition, claim 25 explicitly requires the mapping to be accessible by content of at least one response. Clearly, Leroy does not suggest accessing content by at least one response.

The noted office action suggests that Leroy enables this by citing column 6, lines 6-13. Such cited text, however, merely says, in a general manner, that some coordinator “may request a tabulation and time correlation of the response data in a number of forms.” This general statement does not teach one skilled in the art to access by content of response data—the way the data is tabulated is not

discussed. Clearly, that general statement does not suggest tabulating by accessing content by response.

Claim 25, and its dependent claims 26-29, therefore are allowable over the cited art. All of the remaining pending claims similarly require an associative mapping, while some require the accessibility by response and/or multi-channel mapping. Accordingly the remaining claims also are allowable for the same reasons as noted above.

The applicants request that the examiner contact the undersigned, Steven Saunders, if it will assist examination of the pending claims.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "St. Sale", written over the printed name.

Steven G. Saunders  
Registration No. 36,265

BROMBERG & SUNSTEIN LLP  
125 Summer Street  
Boston, MA 02110-1618  
(617) 443-9292

417747